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OFFICE OF PETITIONS

In re Patent No. 7,635,701	:
Eatherton et al.	: DECISION UPON REMAND AND
Issue Date: December 22, 2009	: RECONSIDERATION OF
Application No. 10/524,470	: PATENT TERM ADJUSTMENT
Filed: February 28, 2006	: AND NOTICE OF INTENT
Attorney Docket No. P33099USW	: TO ISSUE CERTIFICATE OF
Title: Pyrimidine Derivatives	: CORRECTION
And Their Use As CB2 Modulators	:

This is a decision following remand from the District Court for the District of Columbia regarding the patent term adjustment indicated on the above-identified patent. The Court remanded this matter to the U.S. Patent and Trademark Office for recalculation of the patent term adjustment in accordance with the decision in Wyeth & Elan Pharma Int'l Ltd. v. Kappos, 591 F.3d 1364 (Fed. Cir. 2010).

The patent term adjustment indicated on the above-identified patent has been recalculated as directed by the Court. The term of the above-identified patent is extended or adjusted by eight hundred and fifty (850) days.

The application is being forwarded to the Certificates Branch for issuance of a certificate of correction indicating that the term of the above-identified patent is extended or adjusted by eight hundred and fifty (850) days.

Telephone inquiries specific to this matter should be directed to Senior Legal Advisor Kery A. Fries at (571) 272-7757.

/Kery A. Fries/

Kery Fries
Senior Legal Advisor Attorney
Office of Patent Legal Administration
Office of Associate Commissioner
For Patent Examination Policy

Enclosure: Copy of DRAFT Certificate of Correction

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT : 7,635,701

DATED : December 22, 2009

DRAFT

INVENTOR(S) : Eatherton et al.

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the cover page,

[*] Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 USC 154(b) by 550 days

Delete the phrase "by 550 days " and insert – by 850 days--

Day : Monday
Date : 9/20/2010**PALM INTRANET**

Time: 13:43:08

PTA Calculations for Application: 10/524470

Application Filing Date:	02/28/2006	PTO Delay (PTO):	669
Issue Date of Patent:	12/22/2009	Three Years:	0
Pre-Issue Petitions:	0	Applicant Delay (APPL):	119
Post-Issue Petitions:	0	Total PTA (days):	850
PTO Delay Adjustment:	300		

File Contents History

Number	Date	Contents Description	PTO	APPL	START
87	09/20/2010	ADJUSTMENT OF PTA CALCULATION BY PTO	300		
79.5	12/02/2009	PTA 36 MONTHS	142		
79	12/22/2009	PATENT ISSUE DATE USED IN PTA CALCULATION			
78	10/29/2009	EXPORT TO FINAL DATA CAPTURE			
77	10/27/2009	FINISHED INITIAL DATA CAPTURE			
76	10/28/2009	DISPATCH TO FDC			
75	10/27/2009	APPLICATION IS CONSIDERED READY FOR ISSUE			
74	10/22/2009	ISSUE FEE PAYMENT VERIFIED			
73	10/22/2009	ISSUE FEE PAYMENT RECEIVED			
71	07/31/2009	ELECTRONIC REVIEW			
67	07/28/2009	MAIL NOTICE OF ALLOWANCE			
66	07/23/2009	ISSUE REVISION COMPLETED			
65	07/23/2009	DOCUMENT VERIFICATION			
64	07/20/2009	NOTICE OF ALLOWANCE DATA VERIFICATION COMPLETED			
63	07/20/2009	EXAMINER'S AMENDMENT COMMUNICATION			
62	07/20/2009	NOTICE OF ALLOWABILITY			
61	03/02/2009	INFORMATION DISCLOSURE STATEMENT CONSIDERED			
60	06/29/2009	DATE FORWARDED TO EXAMINER			
59	05/05/2009	RESPONSE AFTER NON-FINAL ACTION		64	52
58	04/11/2009	EMAIL NOTIFICATION			
56	04/10/2009	MAIL NOTICE OF INFORMAL OR NON-RESPONSIVE AMENDMENT			
55	03/02/2009	REFERENCE CAPTURE ON IDS			

54	03/02/2009	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
53	04/08/2009	DATE FORWARDED TO EXAMINER			
52.1	03/02/2009	INFORMAL OR NON-RESPONSIVE AMENDMENT AFTER EXAMINER ACTION			
52	03/02/2009	RESPONSE AFTER NON-FINAL ACTION		55	47
51	03/02/2009	REQUEST FOR EXTENSION OF TIME - GRANTED			
50	03/02/2009	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
49	10/07/2008	ELECTRONIC REVIEW			
48	10/06/2008	EMAIL NOTIFICATION			
47	10/06/2008	MAIL NON-FINAL REJECTION	527		19
46	09/29/2008	NON-FINAL REJECTION			
45	06/17/2008	INFORMATION DISCLOSURE STATEMENT CONSIDERED			
44	06/04/2007	INFORMATION DISCLOSURE STATEMENT CONSIDERED			
43	01/22/2007	INFORMATION DISCLOSURE STATEMENT CONSIDERED			
38	06/17/2008	ELECTRONIC INFORMATION DISCLOSURE STATEMENT			
37	06/17/2008	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
36	12/18/2007	CASE DOCKETED TO EXAMINER IN GAU			
35	12/15/2007	TRANSFER INQUIRY TO GAU			
34	10/17/2007	WITHDRAW FLAGGED FOR 5/25			
33	10/15/2007	FLAGGED FOR 5/25			
32	06/04/2007	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
31	06/04/2007	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
29	05/07/2007	PRELIMINARY AMENDMENT			
22	01/22/2007	REFERENCE CAPTURE ON IDS			
21.7	01/22/2007	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
21	01/22/2007	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
20	03/28/2007	IFW TSS PROCESSING BY TECH CENTER COMPLETE			
19	02/28/2006	371 COMPLETION DATE			
18	03/02/2007	APPLICATION DISPATCHED FROM OIPE			

17	03/05/2007	NOTICE OF DO/EO ACCEPTANCE MAILED			
16	12/28/2006	PG-PUB ISSUE NOTIFICATION			
15	09/25/2006	CLEARED BY OIPE CSR			
14	09/24/2006	CLEARED BY OIPE CSR			
13	09/24/2006	CLEARED BY OIPE CSR			
12	09/24/2006	CLEARED BY OIPE CSR			
11	09/24/2006	CLEARED BY OIPE CSR			
10	09/24/2006	CLEARED BY OIPE CSR			
9	09/18/2006	PCT CLASSIFICATION			
8	02/28/2006	ADDITIONAL APPLICATION FILING FEES			
7	02/28/2006	A STATEMENT BY ONE OR MORE INVENTORS SATISFYING THE REQUIREMENT UNDER 35 USC 115, OATH OF THE APPLIC			
6	08/23/2006	MAIL-PETITION DECISION - GRANTED			
5	02/28/2006	PETITION ENTERED			

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EXPLANATION OF PTA CALCULATION

EXPLANATION OF PTE CALCULATION

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